

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AMERICAN SAFETY INDEMNITY)
COMPANY, an insurance)
company incorporated in)
the State of Oklahoma,)
)
Plaintiff,)
)) CIVIL ACTION NO.
v.) 2:10cv48-MHT
) (WO)
T.H. TAYLOR, INC., et al)
)
Defendants.)

OPINION

In a judgment entered on March 29, 2011, the court required that "all parties show cause, if any there be, in writing by April 12, 2011, as to why plaintiff American Safety Indemnity Company's no-duty-to-indemnify claim should not be dismissed without prejudice as premature." None of the parties has responded within the time allowed. American Safety's no-duty-to-indemnify claim, the only remaining claim in this litigation, will therefore be dismissed without prejudice as premature.

An appropriate judgment will be entered.

DONE, this the 15th day of April, 2011.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE